

REMARKS

Claims 39-42, 46, 48-53, 56, 58-62, 71,75, 77, 78, 82, 86, 88-93, 97, 99-104, 108, 110-114, 116, 120-125, 127, 131, 133 and 134 are pending. Claims 39, 41, 49, 59, 89, 100, 104, 108, 110-114, 120-122 and 134 are rejected.

The Examiner has objected to informalities in claims 86, 91, 92, and 127. Applicant has amended the claims to correct the informalities.

The Examiner has rejected claims 104, 108 and 110-114 under 35 U.S.C. 112 second paragraph as being indefinite for using the term "safe and effective amount." Applicant has amended the claims to remove this phrase.

The Examiner has rejected claims 104, 108 and 110-114 under 35 U.S.C. 112 first paragraph as failing to comply with the enablement requirement as it relates to the use of the term "cancer" in the claim directed toward a vaccine composition. Applicant has amended the claims to remove the term "cancer."

The Examiner has rejected claims 49 (claims 59, 89, 100 and 111 dependent thereon) and claim 134 under 35 U.S.C. 112 paragraph as being indefinite for use of the phrase "wherein the second complex contains a plurality of sub-complexes." Applicant has amended claims 49 and 134, replacing the term "sub-complex" with the term "subpopulation," thereby overcoming the rejection. Support for the amendment can be found in Example 2.

The Examiner has rejected claims 39 and 41 under 35 U.S.C. 102(b) as being anticipated by EP 0576 478, while claim 40 is not so rejected. Applicant has amended claims 39 and 41 to include the limitations of claim 40 and thereby overcome the rejection.

The Examiner has rejected claim 120 under 35 U.S.C. 103(a) as being unpatentable over EP 0 576 478 in view of LaPoste U.S. 6,306,404. As explained above, Applicant has amended claim 41 on which claim 120 depends to include the limitations of claim 40. The new limitations of the amended claim are not disclosed or suggested in EP 0 576 478 or in LaPoste and therefore, the rejection is overcome.

The Examiner has rejected claims 121 and 122 under 35 U.S.C. 103(a) as being unpatentable over EP 0 576 478 in view of LaPoste U.S. 6,306,404 and further in view of Rose et al. (J. Virol 72: 6151-54). As explained above, Applicant has amended claim 41 on which claims 121 and 122 depend to include the limitations of claim 40. The new

limitations of the amended claim are not disclosed or suggested in EP 0 576 478 or in LaPoste or in Rose et al. and therefore, the rejection is overcome.

Applicant submits that the application and claims are in condition for allowance and request favorable reconsideration of the application.

Respectfully submitted,

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